



September 5, 2019

President Donald J. Trump
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

On behalf of the State of Wyoming thank you for your administration's willingness to support this country's energy industries, and in particular, small refineries. Wyoming small refineries are essential to the cities and towns in which they operate, and are vital to our statewide economy. Small refineries provide thousands of stable, high-paying manufacturing jobs and they sustain other local industries, merchants, and service providers.

Small refinery hardship relief is critical to Wyoming's small refineries. Indeed, this relief is critical to these facilities throughout the United States and to our domestic liquid fuels market. In designing the Renewable Fuel Standard program, Congress provided for this relief with remarkable forethought: It rightly predicted that the RFS program would unfairly disadvantage small refineries. Nevertheless, of late, small refinery hardship relief has drawn an inordinate amount of negative attention. But those seeking to undermine its application stand only to gain from its demise.

I am not opposed to ethanol, and in fact support its growth, but I am an advocate for policies that align with federal laws and do not skew the free market. The ethanol lobby argues that small refinery hardship relief destroys ethanol demand. This is not true—something EPA under your leadership has acknowledged: "There is zero evidence that EPA's congressionally mandated small refinery exemption program ... has had any negative impact on domestic corn ethanol producers." U.S. Energy Information Administration data tells the same story. Ethanol consumption is at an all-time high and continuing to grow. These trends are all but certain to continue with the new allowance of year-round E15 sales.

Ethanol advocates point to the small refinery hardship relief for the recent closure of ethanol plants. The actual problem seems to be overproduction. Earlier this year, economist Scott Irwin explained that recent increases in ethanol production have

“simply been too much for the domestic (and export) fuel markets to absorb.” To state it another way, the ethanol industry has outgrown its mandate.

The final common refrain of ethanol advocates is that small refinery hardship relief is nothing more than a government handout to big oil companies, a manifestation of the government’s preference for oil over ethanol. Not one bit of this true. Small refinery hardship relief is no handout at all. It is a statutory right providing ongoing relief from a government program that causes undue hardship to small refiners—the very program that allowed ethanol to grow into the substantial industry that it is today.

Recently, some in the U.S. Department of Agriculture and the biofuels lobby have demanded that EPA “make up” for biofuel-gallons supposedly displaced by small refinery hardship relief to satisfy U.S. farming interests. Contrary to your Administration’s policies, any reallocated volumes would be satisfied through biofuels imports. This would not only harm U.S. farmers, it would negatively impact consumers, workers, and domestic energy policy.

During the prior administration, Wyoming small refineries suffered under misguided and punishing energy policy. You have turned that around, and I am thankful for that. You have recognized the value in small refinery hardship relief. You understand the importance of domestic manufacturing jobs. You appreciate free and fair markets. I urge you to continue down this path. The status quo approach has allowed for an expanding ethanol market and small refineries to provide important fuel and jobs in Wyoming and across the US.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Gordon", with a long horizontal flourish extending to the right.

Mark Gordon
Governor

cc: The Honorable Rick Perry, Secretary, U.S. Department of Energy
The Honorable Andrew Wheeler, Administrator, EPA



KIM REYNOLDS
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG
LT GOVERNOR

August 20, 2019

The Honorable Andrew Wheeler
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Administrator Wheeler:

We write to express our profound disappointment in your agency's recent approval of 31 new exemptions undermining the Renewable Fuel Standard (RFS). These actions are a clear violation of the President's commitments to Iowa farmers and renewable energy producers across the heartland.

The latest round of exemptions destroyed an additional 1.43 billion gallons of biofuel demand, which equates to over 500 million bushels of corn. The damage from these exemptions has piled up year after year and gallon after gallon. Over the last three years, the agency has undercut more than four billion gallons of homegrown energy, without transparency or accountability, even for so-called "small" refinery exemptions (SREs) offered to oil giants like Exxon and Chevron.

The loss of these markets has taken a devastating toll on rural families facing one of the toughest years on record. Ethanol consumption fell for the first time in 20 years, commodity markets are depressed, and many biofuel plants, including several in Iowa, have already slowed or halted production.

To make matters worse, the agency failed to restore demand lost to SREs in its proposal for 2020 biofuel targets. We understand the agency is also working on a draft reset of the RFS, which could emerge any time this year. That rule will ultimately raise or lower the bar for growth in homegrown energy for 2021 and all future years. This could block pathways for the adoption of advanced and cellulosic biofuels that transform farm waste into new rural revenue streams.

To date, EPA has offered no assurances that the reset will address Iowa's concerns on exemptions or long-term growth. The EPA must act swiftly to repair the damage, reallocate lost gallons, and deliver on the economic opportunities President Trump promised to families in America's heartland.

We extend an open invitation to join us in Iowa soon to see firsthand the devastating impact these exemptions are having on farm families, biofuels producers and rural communities.

Sincerely,

Handwritten signature of Kim Reynolds in black ink.

Kim Reynolds
Governor
State of Iowa

Handwritten signature of Mike Naig in black ink.

Mike Naig
Secretary
Iowa Department of Agriculture & Land Stewardship



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Tom Wolf
Governor of Pennsylvania
Harrisburg, Pennsylvania 17120

Dear Governor Wolf:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

Rulemaking Actions

To ensure that its rules are defensible and sustainable, the Agency needs to build a solid, data-based record for its decisions. For the reviews of the NESHAP for Miscellaneous Organic Chemical Manufacturing (MON) and the NESHAP for Ethylene Oxide Commercial Sterilizers, EPA has had to compile information on emissions, potential control technology options and costs for the many potentially affected sources in these source categories. Much of this work has been, or soon will be, completed.

The Agency is under court order to issue a final risk and technology review of the MON rule by March 13, 2020. The proposed rulemaking is currently at the Office of Management and Budget (OMB) undergoing interagency review and will be issued following completion of that review.¹

¹ See <https://www.reginfo.gov/public/do/eoDetails?rrid=129437>

Over the past year, the Office of Air and Radiation has been gathering data to support its review of the NESHAP for commercial sterilizers. One challenge that we have identified is that about one-third of the more than 100 potentially affected facilities are small businesses. Given the potential impact of certain emission reduction strategies on these small businesses, the Agency may need to convene a Small Business Advocacy Review (SBAR) Panel before taking any significant regulatory action. EPA will soon request nominations to serve as small entity representatives as part of a possible SBAR Panel.

Currently, we are planning three upcoming actions for this source category:

1. In October, EPA intends to issue an Advance Notice of Proposed Rulemaking (ANPRM). This notice would describe and provide an opportunity for public comment on potential regulatory approaches and available control technologies and would provide an avenue for interested parties to give us additional data and information to support the future rulemaking.
2. Also, in October, EPA intends to issue a request for information under CAA section 114 to several commercial sterilization companies. This request will require companies to provide information that would support the notice-and-comment rulemaking, including data on specific facility characteristics, control devices, work practices, and costs associated with installation and operation of emission reduction strategies.
3. In the months ahead, we plan to propose a formal notice-and-comment rulemaking, informed if necessary by the SBAR Panel process. This rulemaking would begin with a proposed rule that would address the CAA-required technology review for this source category and is expected to include an assessment of the impacts of identified control strategies. This proposal will solicit public comment, and EPA will provide the opportunity for a public hearing. Once these important steps have been completed and the Agency has considered public input, then EPA would issue a final rule.

Area-Specific Activities

Because our rulemaking process takes time, we decided that more immediate action may be needed in higher risk areas. Our Regional offices have been working with affected state and local air agencies to look more closely at emissions from facilities in these areas. The purpose of this work is to provide information to help us as we review our regulations and to identify whether it is possible to achieve early emission reductions. We have already seen facilities take steps, or commit to taking steps, to significantly reduce emissions and risk in a number of areas, including in Illinois, Georgia and other states. We also think it is critical to actively engage with affected communities. To this end, several of our Regional offices have conducted or participated in meetings with local elected officials and community groups. We are committed to continuing this engagement in the necessary areas.

Finally, I wish to note that some communities have asked EPA to conduct air monitoring. Because existing monitoring methods for certain air toxics, including ethylene oxide, have limitations, and because EPA's regulatory program for air toxics has traditionally relied on mathematical computer modeling to characterize outdoor air concentrations, we do not think such air monitoring is necessary to support actions to reduce emissions. As requested, however, EPA has provided technical assistance to communities wishing to conduct air toxics monitoring. In addition, in 2020, eligible localities will be able to apply for financial assistance for such monitoring through EPA's Community-Scale Air Toxics Ambient Monitoring grant competition. This program assists state, local and tribal communities in identifying air toxics sources, characterizing the degree and extent of local air toxics problems, and tracking progress of air toxics reduction activities. Information about these grants will be announced later this year and will be posted at <https://www.epa.gov/grants/air-grants-and-funding>.

I appreciate the opportunity to be of service and trust the information provided is helpful. I want you to know that EPA remains committed to its mission of protecting public health and the environment. If you have additional questions, please contact me or your staff may contact Britt Carter, Director of Intergovernmental Relations, at carter.brittneys@epa.gov or at (b) (6)

Sincerely,

A handwritten signature in blue ink, appearing to read "Anne L. Idsal".

Anne L. Idsal
Acting Assistant Administrator

cc: Patrick McDonnell, Secretary
Pennsylvania Department of Environmental Protection



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Jay Robert Pritzker
Governor of Illinois
Springfield, Illinois 62706

Dear Governor Pritzker:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

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Currently, we are planning three upcoming actions for this source category:

1. In October, EPA intends to issue an Advance Notice of Proposed Rulemaking (ANPRM). This notice would describe and provide an opportunity for public comment on potential regulatory approaches and available control technologies and would provide an avenue for interested parties to give us additional data and information to support the future rulemaking.
2. Also, in October, EPA intends to issue a request for information under CAA section 114 to several commercial sterilization companies. This request will require companies to provide information that would support the notice-and-comment rulemaking, including data on specific facility characteristics, control devices, work practices, and costs associated with installation and operation of emission reduction strategies.
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Area-Specific Activities

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I appreciate the opportunity to be of service and trust the information provided is helpful. I want you to know that EPA remains committed to its mission of protecting public health and the environment. If you have additional questions, please contact me or your staff may contact Britt Carter, Director of Intergovernmental Relations, at carter.brittneys@epa.gov or at (b) (6)

Sincerely,

A handwritten signature in blue ink, appearing to read "Anne L. Idsal".

Anne L. Idsal
Acting Assistant Administrator

cc: John J. Kim, Director
Illinois Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Brian P. Kemp
Governor of Georgia
Atlanta, Georgia 30334

Dear Governor Kemp:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

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Sincerely,



Anne L. Idsal
Acting Assistant Administrator

cc: Richard Dunn, Director
Georgia Environmental Protection Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Robert P. Casey, Jr.
United States Senate
Washington, D.C. 20510

Dear Senator Casey:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Anne L. Idsal".

Anne L. Idsal
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Patrick J. Toomey
United States Senate
Washington, D.C. 20510

Dear Senator Toomey:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

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I appreciate the opportunity to be of service and trust the information provided is helpful. I want you to know that EPA remains committed to its mission of protecting public health and the environment. If you have additional questions, please contact me or your staff may contact Austin Vela in the Office of Congressional Affairs at vela.austin@epa.gov or at (b) (6)

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne L. Idsal".

Anne L. Idsal
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Mike Quigley
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Quigley:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

Rulemaking Actions

To ensure that its rules are defensible and sustainable, the Agency needs to build a solid, data-based record for its decisions. For the reviews of the NESHAP for Miscellaneous Organic Chemical Manufacturing (MON) and the NESHAP for Ethylene Oxide Commercial Sterilizers, EPA has had to compile information on emissions, potential control technology options and costs for the many potentially affected sources in these source categories. Much of this work has been, or soon will be, completed.

The Agency is under court order to issue a final risk and technology review of the MON rule by March 13, 2020. The proposed rulemaking is currently at the Office of Management and Budget (OMB) undergoing interagency review and will be issued following completion of that review.¹

¹ See <https://www.reginfo.gov/public/do/eoDetails?rrid=129437>

Over the past year, the Office of Air and Radiation has been gathering data to support its review of the NESHAP for commercial sterilizers. One challenge that we have identified is that about one-third of the more than 100 potentially affected facilities are small businesses. Given the potential impact of certain emission reduction strategies on these small businesses, the Agency may need to convene a Small Business Advocacy Review (SBAR) Panel before taking any significant regulatory action. EPA will soon request nominations to serve as small entity representatives as part of a possible SBAR Panel.

Currently, we are planning three upcoming actions for this source category:

1. In October, EPA intends to issue an Advance Notice of Proposed Rulemaking (ANPRM). This notice would describe and provide an opportunity for public comment on potential regulatory approaches and available control technologies and would provide an avenue for interested parties to give us additional data and information to support the future rulemaking.
2. Also, in October, EPA intends to issue a request for information under CAA section 114 to several commercial sterilization companies. This request will require companies to provide information that would support the notice-and-comment rulemaking, including data on specific facility characteristics, control devices, work practices, and costs associated with installation and operation of emission reduction strategies.
3. In the months ahead, we plan to propose a formal notice-and-comment rulemaking, informed if necessary by the SBAR Panel process. This rulemaking would begin with a proposed rule that would address the CAA-required technology review for this source category and is expected to include an assessment of the impacts of identified control strategies. This proposal will solicit public comment, and EPA will provide the opportunity for a public hearing. Once these important steps have been completed and the Agency has considered public input, then EPA would issue a final rule.

Area-Specific Activities

Because our rulemaking process takes time, we decided that more immediate action may be needed in higher risk areas. Our Regional offices have been working with affected state and local air agencies to look more closely at emissions from facilities in these areas. The purpose of this work is to provide information to help us as we review our regulations and to identify whether it is possible to achieve early emission reductions. We have already seen facilities take steps, or commit to taking steps, to significantly reduce emissions and risk in a number of areas, including in Illinois, Georgia and other states. We also think it is critical to actively engage with affected communities. To this end, several of our Regional offices have conducted or participated in meetings with local elected officials and community groups. We are committed to continuing this engagement in the necessary areas.

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Anne L. Idsal
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Lauren Underwood
U.S. House of Representatives
Washington, D.C. 20515

Dear Congresswoman Underwood:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

Rulemaking Actions

To ensure that its rules are defensible and sustainable, the Agency needs to build a solid, data-based record for its decisions. For the reviews of the NESHAP for Miscellaneous Organic Chemical Manufacturing (MON) and the NESHAP for Ethylene Oxide Commercial Sterilizers, EPA has had to compile information on emissions, potential control technology options and costs for the many potentially affected sources in these source categories. Much of this work has been, or soon will be, completed.

The Agency is under court order to issue a final risk and technology review of the MON rule by March 13, 2020. The proposed rulemaking is currently at the Office of Management and Budget (OMB) undergoing interagency review and will be issued following completion of that review.¹

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Over the past year, the Office of Air and Radiation has been gathering data to support its review of the NESHAP for commercial sterilizers. One challenge that we have identified is that about one-third of the more than 100 potentially affected facilities are small businesses. Given the potential impact of certain emission reduction strategies on these small businesses, the Agency may need to convene a Small Business Advocacy Review (SBAR) Panel before taking any significant regulatory action. EPA will soon request nominations to serve as small entity representatives as part of a possible SBAR Panel.

Currently, we are planning three upcoming actions for this source category:

1. In October, EPA intends to issue an Advance Notice of Proposed Rulemaking (ANPRM). This notice would describe and provide an opportunity for public comment on potential regulatory approaches and available control technologies and would provide an avenue for interested parties to give us additional data and information to support the future rulemaking.
2. Also, in October, EPA intends to issue a request for information under CAA section 114 to several commercial sterilization companies. This request will require companies to provide information that would support the notice-and-comment rulemaking, including data on specific facility characteristics, control devices, work practices, and costs associated with installation and operation of emission reduction strategies.
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Area-Specific Activities

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Sincerely,

A handwritten signature in cursive script, appearing to read "Anne L. Idsal".

Anne L. Idsal
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable David Perdue
United States Senate
Washington, D.C. 20510

Dear Senator Perdue:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

Rulemaking Actions

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The Agency is under court order to issue a final risk and technology review of the MON rule by March 13, 2020. The proposed rulemaking is currently at the Office of Management and Budget (OMB) undergoing interagency review and will be issued following completion of that review.¹

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Over the past year, the Office of Air and Radiation has been gathering data to support its review of the NESHAP for commercial sterilizers. One challenge that we have identified is that about one-third of the more than 100 potentially affected facilities are small businesses. Given the potential impact of certain emission reduction strategies on these small businesses, the Agency may need to convene a Small Business Advocacy Review (SBAR) Panel before taking any significant regulatory action. EPA will soon request nominations to serve as small entity representatives as part of a possible SBAR Panel.

Currently, we are planning three upcoming actions for this source category:

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Sincerely,

A handwritten signature in cursive script, appearing to read "Anne L. Idsal".

Anne L. Idsal
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Jody Hice
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Hice:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

Rulemaking Actions

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Over the past year, the Office of Air and Radiation has been gathering data to support its review of the NESHAP for commercial sterilizers. One challenge that we have identified is that about one-third of the more than 100 potentially affected facilities are small businesses. Given the potential impact of certain emission reduction strategies on these small businesses, the Agency may need to convene a Small Business Advocacy Review (SBAR) Panel before taking any significant regulatory action. EPA will soon request nominations to serve as small entity representatives as part of a possible SBAR Panel.

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Area-Specific Activities

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Anne L. Idsal
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Barry Loudermilk
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Loudermilk:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

Rulemaking Actions

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Over the past year, the Office of Air and Radiation has been gathering data to support its review of the NESHAP for commercial sterilizers. One challenge that we have identified is that about one-third of the more than 100 potentially affected facilities are small businesses. Given the potential impact of certain emission reduction strategies on these small businesses, the Agency may need to convene a Small Business Advocacy Review (SBAR) Panel before taking any significant regulatory action. EPA will soon request nominations to serve as small entity representatives as part of a possible SBAR Panel.

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Anne L. Idsal
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 13, 2019

OFFICE OF
AIR AND RADIATION

The Honorable Johnny Isakson
United States Senate
Washington, D.C. 20510

Dear Senator Isakson:

I would like to update you on the progress of our activities related to ethylene oxide. Addressing this chemical is a high priority for the U.S. Environmental Protection Agency (EPA), and I appreciate your interest in our ongoing work.

As you may recall, EPA's National Air Toxics Assessment (NATA) found last year that ethylene oxide emissions may significantly contribute to potentially elevated cancer risk in several areas around the country. EPA has been taking a two-pronged approach to address these emissions. First, the Agency is reviewing its Clean Air Act (CAA) regulations for industrial facilities that emit ethylene oxide. An update on the status of our work on two National Emissions Standards for Hazardous Air Pollutants (NESHAP) addressing ethylene oxide is provided below. Second, we are working closely with our Regional offices and state and local air agencies to get additional information on facility emissions to determine whether more immediate emission reduction steps are necessary or possible in higher risk areas. This work is ongoing, and there have already been significant emission reductions in a number of areas.

Rulemaking Actions

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1. In October, EPA intends to issue an Advance Notice of Proposed Rulemaking (ANPRM). This notice would describe and provide an opportunity for public comment on potential regulatory approaches and available control technologies and would provide an avenue for interested parties to give us additional data and information to support the future rulemaking.
2. Also, in October, EPA intends to issue a request for information under CAA section 114 to several commercial sterilization companies. This request will require companies to provide information that would support the notice-and-comment rulemaking, including data on specific facility characteristics, control devices, work practices, and costs associated with installation and operation of emission reduction strategies.
3. In the months ahead, we plan to propose a formal notice-and-comment rulemaking, informed if necessary by the SBAR Panel process. This rulemaking would begin with a proposed rule that would address the CAA-required technology review for this source category and is expected to include an assessment of the impacts of identified control strategies. This proposal will solicit public comment, and EPA will provide the opportunity for a public hearing. Once these important steps have been completed and the Agency has considered public input, then EPA would issue a final rule.

Area-Specific Activities

Because our rulemaking process takes time, we decided that more immediate action may be needed in higher risk areas. Our Regional offices have been working with affected state and local air agencies to look more closely at emissions from facilities in these areas. The purpose of this work is to provide information to help us as we review our regulations and to identify whether it is possible to achieve early emission reductions. We have already seen facilities take steps, or commit to taking steps, to significantly reduce emissions and risk in a number of areas, including in Illinois, Georgia and other states. We also think it is critical to actively engage with affected communities. To this end, several of our Regional offices have conducted or participated in meetings with local elected officials and community groups. We are committed to continuing this engagement in the necessary areas.

Finally, I wish to note that some communities have asked EPA to conduct air monitoring. Because existing monitoring methods for certain air toxics, including ethylene oxide, have limitations, and because EPA's regulatory program for air toxics has traditionally relied on mathematical computer modeling to characterize outdoor air concentrations, we do not think such air monitoring is necessary to support actions to reduce emissions. As requested, however, EPA has provided technical assistance to communities wishing to conduct air toxics monitoring. In addition, in 2020, eligible localities will be able to apply for financial assistance for such monitoring through EPA's Community-Scale Air Toxics Ambient Monitoring grant competition. This program assists state, local and tribal communities in identifying air toxics sources, characterizing the degree and extent of local air toxics problems, and tracking progress of air toxics reduction activities. Information about these grants will be announced later this year and will be posted at <https://www.epa.gov/grants/air-grants-and-funding>.

I appreciate the opportunity to be of service and trust the information provided is helpful. I want you to know that EPA remains committed to its mission of protecting public health and the environment. If you have additional questions, please contact me or your staff may contact Austin Vela in the Office of Congressional Affairs at vela.austin@epa.gov or at (b) (6)

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne L. Idsal".

Anne L. Idsal
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

OFFICE OF THE
REGIONAL ADMINISTRATOR

SEP 25 2019

The Honorable Pete Ricketts
Governor of Nebraska
Office of the Governor
P.O. Box 94848
Lincoln, Nebraska 68509

Dear Governor Ricketts:

Thank you for your letter dated August 5, 2019, requesting that the total allotment of the Clean Water Act Section 604(b) annual water quality planning funds be awarded to the Nebraska Department of Environment and Energy.

In accordance with Section 205(j)(3) of the CWA, the NDEE solicited interest from Regional Comprehensive Planning Organizations to assist with state water quality planning programs. Given the lack of interest in this solicitation request, the U.S. Environmental Protection Agency approves your request for the total allocation of funds to NDEE. Funding will be awarded to NDEE once the application and final workplan have been accepted by the EPA Region 7.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim B. Gulliford".

Am James B. Gulliford



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Pete Ricketts
Governor

STATE OF NEBRASKA

OFFICE OF THE GOVERNOR

P.O. Box 94848 • Lincoln, Nebraska 68509-4848
Phone: (402) 471-2244 • pete.ricketts@nebraska.gov

August 5, 2019

Mr. Jim Gulliford
Regional Administrator
U.S. EPA Region VII
11201 Renner Road
Lenexa, Kansas 66219

Dear Mr. Gulliford:

I cordially request your approval for the Nebraska Department of Environment and Energy to retain the total allotment of the FY2020 \$100,000 Clean Water Act Section 604(b) grant to be awarded to the State of Nebraska.

The Department solicited project proposals for the pass-through of Section 604(b) funds as required by Section 205(j)(3) of the Clean Water Act. Letters requesting the submittal of project proposals were sent to the Lincoln-Lancaster County Planning Department, Metropolitan Areawide Planning Agency (MAPA), and the Siouxland Interstate Metropolitan Planning Council (SIMPCO) on July 3, 2019. No project proposals were received for Section 604(b) pass-through funding.

Your approval of this request would be most appreciated.

Sincerely,

A handwritten signature in blue ink that reads "Pete Ricketts".

Pete Ricketts
Governor



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

OFFICE OF THE
REGIONAL ADMINISTRATOR

MAR 20 2020

The Honorable Michael L. Parson
Governor of Missouri
Office of the Governor
P.O. Box 720
Jefferson City, Missouri 65102

Dear Governor Parson:

Thank you for your letter dated August 16, 2019, requesting the reallocation of Clean Water Act § 604(b) grant funds for fiscal years 15 and 16 to other purposes within the Missouri Department of Natural Resources. The U.S. Environmental Protection Agency, Region 7 has been working closely with the MDNR on this request.

An examination of the MDNR's CWA § 604(b) grants showed that funds for fiscal years 15 and 16 have passed the timeframe when the state may request a reallocation of the funds. The CWA § 604(c)(1) states that all funds given to a state pursuant to CWA § 604 are only available for obligation by a state during the fiscal year that the funds were authorized and the following fiscal year. Any request for reallocation of funds from their original purpose must occur within the applicable two-year timeframe, which has expired for the requested grants. The region continues to work with the MDNR to ensure adequate and timely allocation, obligation, and expenditure of all grant funding.

If we can be of further assistance, please feel free to contact me at (b) (6) or Joshua Tapp, Office of Intergovernmental Affairs Director, at (b) (6)

Sincerely,

James B. Gulliford



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STATE CAPITOL
201 W. CAPITOL AVENUE, ROOM 216
JEFFERSON CITY, MISSOURI 65101



(573) 751-3222
WWW.GOVERNOR.MO.GOV

Michael L. Parson

GOVERNOR
STATE OF MISSOURI

August 16, 2019

Mr. Jim Gulliford
Regional Administrator
U.S. Environmental Protection
Agency, Region 7
11201 Renner Blvd.
Lenexa, KS 66219

Dear Mr. Gulliford,

This letter addresses the annual funding the Missouri Department of Natural Resources (Department) receives from the U.S. Environmental Protection Agency pursuant to Section 604(b) of the Clean Water Act. This act allocates at least 40% of the Water Quality Management Planning Assistance Grant for pass-through funding to regional public comprehensive planning organizations (RPOs) and interstate organizations. If, after RPOs are first consulted, it is determined that the 40% allocation "will not result in significant participation by such organizations in water quality management planning and not significantly assist in development and implementation of the plan described in this paragraph and achieving the goals of the Act..." states may use any remaining 604(b) funds for water-quality planning activities.

In accordance with Section 205(j)(3) of the Clean Water Act and U.S. Environmental Protection Agency guidance from August 18, 1987, the Department notified by email Missouri RPO directors of the opportunity to apply for available Section 604(b) funds, and sent requests for proposals to all RPOs encouraging them to submit proposals. The Department did not receive a sufficient number of applications to use all of the FY15/FY16 grant funds. Three projects were funded and the remaining unobligated funds total approximately \$92,500.

I propose to reallocate the unobligated funds to support water-quality planning and monitoring work within watersheds impacted by Missouri's new numeric nutrient criteria for lakes and reservoirs. This monitoring will enable the state to assess more waters in the state and advance a core budget metric for the program.

Your concurrence regarding this decision is requested and I thank you for considering this request. If you have any questions, please contact Chris Wieberg of the Missouri Department of Natural Resources at 573-751-6721.

Sincerely,

A handwritten signature in blue ink, reading "Michael L. Parson", is written over the word "Sincerely,".

Michael L. Parson
Governor

c: Carol S. Comer, Director, Department of Natural Resources

[Handwritten signature in blue ink]